

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

v.

LABOR READY, INC. and IFA
NURSERIES, INC.

Defendants.


No. 3:05-cv-05671-RBL

ORDER GRANTING
MOTION OF
INTERESTED PARTY
JANICE LOWELL TO
INTERVENE AS A
PARTY PLAINTIFF

This matter comes before the Court on Plaintiffs' Motion to Intervene as a Party Plaintiff. [Dkt # 13]. An aggrieved employee has a statutory right to intervene in a civil action brought by the EEOC. 42 U.S.C. § 2000e-5(f)(1). However, a condition precedent to intervention is that the application must be timely. *See* Fed. R. Civ. P. 24(a). This determination is made by the district court in its discretion, and involves the consideration of several factors, including, the progress of the litigation at the time the intervention is sought, the length of the delay, the reason for the delay, and the prejudice other parties would suffer if intervention were permitted. *EEOC v. Westinghouse Elec. Corp.*, 675 F.2d 164, 165 (8th Cir. 1982).

The Court concludes that these factors weigh in favor of the Plaintiff. Therefore, the Plaintiffs' Motion to Intervene is hereby GRANTED.

1 DATED this 5th day of December 2005.

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5 RONALD B. LEIGHTON
6 UNITED STATES DISTRICT JUDGE
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